

JACQUELINE M. JAMES, ESQ.

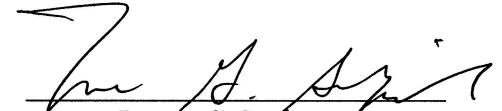
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November 19, 2024  
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Application **GRANTED**. The initial pretrial conference scheduled for November 20, 2024, is adjourned to **January 22, 2025, at 4:20pm**. The materials described at Dkt. 6 shall be filed by **January 15, 2025**.

The Honorable Lorna G. Schofield  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Dated: November 20, 2024  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

***Re: 1:24-cv-02502-LGS; Plaintiff's Renewed Request to Adjourn the Initial Pretrial Conference Scheduled for November 20, 2024 at 4:20 p.m.***

Dear Judge Schofield,

The James Law Firm, PLLC represents Plaintiff in the above captioned matter. This matter has been filed as a John Doe against the internet subscriber assigned the referenced IP address. Plaintiff respectfully requests an adjournment of the Initial Pretrial Conference currently scheduled for November 20, 2024 at 4:20 p.m. and for the resetting of all proposed scheduling deadlines until after the Defendant has been named and served.

On April 2, 2024, Plaintiff filed the instant case against John Doe subscriber assigned IP address 66.65.32.20 claiming Defendant's direct infringement of Plaintiff's works through BitTorrent protocol.

On April 10, 2024, Plaintiff filed a Motion for Leave to Serve a Third-Party Subpoena Prior to a Rule 26(f) Conference ("Motion for Leave") in order to serve a third party subpoena on Defendant's ISP.

On April 4, 2024, the Court entered an Initial Case Management Conference Order setting the Initial Conference for May 15, 2024 at 4:20 p.m.

On April 15, 2024, the Court granted Plaintiff leave to serve a third-party subpoena. Plaintiff served Defendant's ISP with a third-party subpoena on or about April 18, 2024, and in accordance with the time allowances provided to both the ISP and Defendant, expected to receive the ISP response on or about August 15, 2024.

On April 15, 2024, the Court reset the Initial Conference to November 20, 2024 at 4:20 p.m.

Upon receipt of the ISP response, Plaintiff conducted a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this action prior to attempting to effect service of process on that individual. Based on its further investigation, Plaintiff identified the subscriber as the actual infringer/Defendant.

On November 13, 2024, Plaintiff filed a redacted version of the First Amended Complaint and a Motion for Leave to File Unredacted Versions of its First Amended Complaint, Proposed Summons and Return of Service Under Seal (“Motion for Leave to File Under Seal”).

On November 13, 2024, Plaintiff filed a Request to Adjourn the Initial Pretrial Conference Scheduled for November 20, 2024 at 4:20 p.m. (“Request to Adjourn”)

On November 14, 2024, the Court denied Plaintiff’s Motion for Leave to File Under Seal without prejudice to renewal and also denied Plaintiff’s Request to Adjourn without prejudice to renewal.

As of the date of this filing, Plaintiff has not been in contact with the Defendant and/or their counsel, if any. Prior to attempting to effect service on the Defendant, the unredacted summons with the Defendant’s name and address needs to be issued. Without permission to file under seal, Plaintiff is unable to file a request to issue the unredacted proposed summons.

Pursuant to the Court’s November 14, 2024 Order, Plaintiff is currently preparing a renewed Motion for Leave to File Under Seal to be filed later today.

Prior to the Initial Case Management Conference, the parties are required to confer and submit to the Court a proposed Case Management Statement. Because Defendant has not yet been served with summons and Amended Complaint, and Plaintiff has not been contacted by Defendant or counsel for Defendant, Plaintiff is unable to anticipate the specific information required in the proposed Case Management Statement, including issues such as timing and electronic discovery.

For the foregoing reasons, Plaintiff respectfully requests that the Initial Pretrial Conference currently scheduled for November 20, 2024 is adjourned until after the Defendant has been served with the summons and Amended Complaint.

Respectfully Submitted,

By: /s/Jacqueline M. James  
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